

LEGAL SERVICES CORPORATION**Notice of Availability of 1999
Competitive Grant Funds**

AGENCY: Legal Services Corporation.

ACTION: Solicitation for proposals for the provision of civil legal services.

SUMMARY: The Legal Services Corporation (LSC or Corporation) is the national organization charged with administering federal funds to furnish legal and other assistance to persons who appeal to the United States Court of Veterans Appeals (CVA or Court) but who are unable to afford the cost of representation. Pub. L. 102-229.

The Corporation hereby announces the availability of competitive grant funds, and is soliciting grant proposals from interested parties who are qualified to provide effective, efficient and high quality legal assistance to eligible persons who appeal to the CVA. The exact amount of congressionally appropriated funds and the date, terms and conditions of their availability for calendar year 1999 have not been determined.

DATES: Request for Proposals (RFP) will be available after September 1, 1998. Grant proposals must be received at LSC offices by 5:00 p.m. EDT, October 30, 1998.

ADDRESSES: Legal Services Corporation—Veterans Pro Bono Program, 750 First St., NE, 10th Floor, Washington, DC 20002-4250.

FOR FURTHER INFORMATION CONTACT: Office of Program Operations, Competitive Grants—Service Desk (202) 336-8900; FAX (202) 336-7272.

SUPPLEMENTARY INFORMATION: LSC seeks proposals from any organization or consortium of organizations with the demonstrated ability to carry out the provisions of this solicitation.

The solicitation package, containing the grant application, guidelines, proposal content requirements and specific selection criteria, is available by contacting the Corporation by letter, phone or FAX. LSC will not FAX the solicitation package to interested parties; however, solicitation packages may be requested by FAX.

Dated: August 31, 1998.

Patricia M. Hanrahan,
Program Counsel, Office of Program Operations.

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**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 50-213]

**Connecticut Yankee Atomic Power
Company and Haddam Neck Plant;
Exemption****I**

Connecticut Yankee Atomic Power Company (CYAPCO or the licensee) is the holder of Facility Operating License No. DPR-61, which authorizes the licensee to possess the Haddam Neck Plant (HNP). The license states, among other things, that the facility is subject to all the rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect. The facility consists of a pressurized-water reactor located at the licensee's site in Middlesex County, Connecticut. The facility is permanently shut down and defueled and the licensee is no longer authorized to operate or place fuel in the reactor.

II

Section 50.54(q) requires power reactor licensees to follow and maintain in effect emergency plans that meet the standards of Section 50.47(b) and the requirements of Appendix E to 10 CFR Part 50.

Pursuant to 10 CFR 50.12(a), NRC may grant exemptions from the requirements of the regulations, which are (1) authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security, and (2) present special circumstances. Special circumstances exist when application of the regulation in the particular circumstance would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule (10 CFR 50.12(a)(2)(ii)). The underlying purpose of Section 50.54(q) is to ensure that licensees follow and maintain in effect emergency plans which provide reasonable assurance that adequate protective measures can and will be taken in the event of an emergency at a nuclear reactor.

III

By letter dated May 30, 1997, CYAPCO requested an exemption from the provision of 10 CFR 50.54(q) that requires emergency plans to meet all of the standards of 10 CFR 50.47(b) and all of the requirements of Appendix E of Part 50. The request for exemption was based on the substantially reduced the risk to public health and safety resulting

from the permanently shutdown and defueled condition of the Haddam Neck Plant (HNP). In addition, the licensee submitted a proposed Defueled Emergency Plan (DEP) for NRC approval. The DEP proposed to discontinue offsite emergency planning activities and to reduce the scope of onsite emergency planning, which met only a portion of the standards and requirements. Thus, an exemption is required from the provision of 10 CFR 50.54(q) that requires emergency plans to meet all of the standards of 10 CFR 50.47(b) and all of the requirements of Appendix E of Part 50. By letter dated September 19, 1997, the licensee submitted the Emergency Action Levels that it proposed to use with the DEP. By letter dated September 26, 1997, the licensee submitted the results of an assessment of the ability of the HNP spent fuel to heat up in the absence of water in the spent fuel pool (SFP). By letter dated October 21, 1997, the licensee submitted additional information on certain aspects of the DEP and identified the specific standards and requirements of 10 CFR 50.47(b) and Appendix E of Part 50 which the proposed DEP would no longer meet. By letters dated December 18, 1997, January 22, March 25, June 19, and July 31, 1998, the licensee sent additional information on the proposed DEP. Tables 1 and 2 of Attachment 2 of the licensee's March 25, 1998 letter revised and consolidated the list of standards and requirements of 10 CFR 50.47(b) and Appendix E to Part 50 that would remain in effect.

The licensee stated that special circumstances exist at HNP because of the plant's permanently shutdown and defueled condition. With the plant in this condition, most of the design-basis accidents postulated for operating reactors are no longer possible.

However, CYAPCO postulated two design-basis accidents that are relevant to the permanently shutdown condition: (1) a release from combustible radioactive ion exchange resin, and (2) fuel handling accidents. With the exception of Kr-85, the noble gas and iodine nuclides that contribute to the dose consequences of releases from operating reactors have decayed to a negligible amount. CYAPCO calculated doses due to resin handling and fuel handling accidents and concluded that doses at the residence nearest to HNP would not exceed the Environmental Protection Agency (EPA) Protective Action Guides (PAGs) for activation of the offsite emergency response organization.

In addition, the licensee has evaluated the potential consequences of a beyond-